

Atty Docket No. 020031-000810US

PTO FAX NO.: 703 872-9306

ATTENTION: Examiner Frank Lu  
TELEPHONE NO.: 571 272-0746

Group Art Unit 1634

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## OFFICIAL COMMUNICATION

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## CERTIFICATION OF FACSIMILE TRANSMISSION

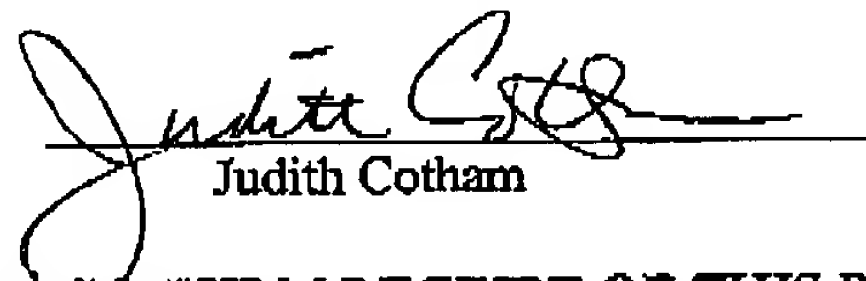
I hereby certify that the following document(s) in re Application of John G.K. Williams et al., Application No. 09/876,374, filed June 6, 2001 for CHARGE-SWITCH NUCLEOTIDES is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Supplemental Amendment in Response to Office Communication  
Dated May 14, 2004

Number of pages being transmitted, including this page: 3

Dated: May 27, 2004

  
Judith Cotham

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TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
Telephone: 925-472-5000  
Fax: 925-472-8895

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PATENT  
Attorney Docket No.: 020031-000810US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

John G.K. Williams *et al.*

Application No.: 09/876,374

Filed: June 6, 2001

For: CHARGE-SWITCH  
NUCLEOTIDES

Customer No.: 20350

Confirmation No. 8989

Examiner: FRANK LU

Technology Center/Art Unit: 1634

SUPPLEMENTAL AMENDMENT IN  
RESPONSE TO OFFICE  
COMMUNICATION DATED MAY 14,  
2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication mailed May 14, 2004, please consider the following supplemental remarks. It is noted that the Office Communication makes reference to an attached Notice to Comply; however, no such Notice to Comply was attached to the Office Communication.

**I. DOUBLE PATENTING**

Claims 1-4, 6-12 and 18-20 were rejected as allegedly being obvious over claims 12-28 of U.S. Patent No. 6,232,075. Applicants respectfully request that the Examiner hold this rejection in abeyance until all the subject matter of the present invention is in condition for allowance. At that time, Applicants will take the necessary steps to obviate the double patenting rejection by filing a Terminal Disclaimer.

PATENT

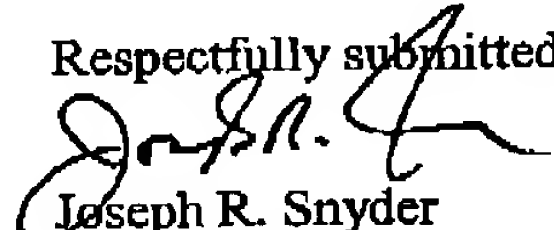
Appl. No. 09/876,374  
Supplemental Amdt. dated May 27, 2004  
Reply to Office Communication of May 14, 2004

## II. CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



Joseph R. Snyder  
Reg. No. 39,381

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